

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

## **INSTRUCTIONS FOR PRISONER'S IN FORMA PAUPERIS APPLICATION**

You must submit to the court a completed Prisoner's In Forma Pauperis Application if you are unable to pay the entire filing fee at the time you file your complaint or petition. Your application must include copies of the prisoner trust account statement showing transactions for the last six months and a certificate of funds in prisoner's account, signed by an authorized officer of the institution.

#### **A. Non-habeas Civil Actions**

Effective April 9, 2006, the filing fee for any civil action other than a habeas is \$350.00. Even if you are granted leave to proceed in forma pauperis, you must still pay the full amount of the court's filing fee, but the fee will be paid in several installments. 28 U.S.C. § 1915.

11 You must pay an initial partial filing fee of 20 percent of the greater of (a) the average  
12 monthly deposits to your account for the 6-month period immediately before the complaint  
13 was filed or (b) the average monthly balance in your account for the 6-month period  
immediately before the complaint was filed. The court will use the information provided on  
the certificate of funds and the trust account statement to determine the filing fee immediately  
due and will send instructions to you and the prison trust account office for payment if in  
forma pauperis status is granted.

15 After the initial partial filing fee is paid, your prison's trust account office will forward  
16 to the court each month 20 percent of the most recent month's income to your prison trust  
account, to the extent the account balance exceeds ten dollars (\$10.00). Monthly payments  
will be required until the full filing fee is paid. If you have no funds over ten dollars (\$10.00)  
in your account, you will not be required to pay part of the filing fee that month.

If your application to proceed in forma pauperis is granted, you will be liable for the full \$350.00 filing fee even if your civil action is dismissed. That means the court will continue to collect payments until the entire filing fee is paid. However, if you do not submit this completed application the action will be dismissed without prejudice and the filing fee will not be collected.

## **B. Habeas Actions**

The filing fee for a habeas action is \$5.00. If you are granted leave to proceed in forma pauperis you will not be required to pay any portion of this fee. If you are not granted leave to proceed in forma pauperis you must pay the fee in one payment and not in installments. If you use a habeas form to file a non-habeas civil action, you will be required to pay the \$350.00 filing fee applicable to all non-habeas civil actions.

FILED

08 JUN -2 PM 1:43

RICHARD W. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*D*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 QUILLIE L. HARVEY JR. }  
11 Plaintiff, }  
12 vs. }  
13 M. S. EVANS }  
14 Defendant. }  
15

case no. CV. 08-2491 CRB (PR)

**PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

16 I, Quillie Harvey, declare, under penalty of perjury that I am the  
17 plaintiff in the above entitled case and that the information I offer throughout this application  
18 is true and correct. I offer this application in support of my request to proceed without being  
19 required to prepay the full amount of fees, costs or give security. I state that because of my  
20 poverty I am unable to pay the costs of this action or give security, and that I believe that I am  
21 entitled to relief.

22 In support of this application, I provide the following information:

23 1. Are you presently employed? Yes        No ✓

24 If your answer is "yes," state both your gross and net salary or wages per month, and give the  
25 name and address of your employer:

26 Gross: \_\_\_\_\_ Net: \_\_\_\_\_

27 Employer: \_\_\_\_\_

28 \_\_\_\_\_

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
2 salary and wages per month which you received. (If you are imprisoned, specify the last  
3 place of employment prior to imprisonment.)

1990 BURGER KING

5 SAN DIEGO COUNTY (CAMP PEN.)

7 2. Have you received, within the past twelve (12) months, any money from any of the  
8 following sources:

9 a. Business, Profession or Yes  No   
10 self employment

13 c Rent payments? Yes No

14 d. Pensions, annuities, or Yes        No

17 Social Security or other govern-  
18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
20 received from each.

21

22

23 3. Are you married? Yes        No

24 || Spouse's Full Name:

25 | Spouse's Place of Employment:

36 | Second Month's Salaries, Wages, or Income

25 | Page

\_\_\_\_\_

1                   b. List the persons other than your spouse who are dependent upon you for  
 2                   support and indicate how much you contribute toward their support. (NOTE:  
 3                   For minor children, list only their initials and ages. DO NOT INCLUDE  
 4                   THEIR NAMES.).

*N/A    No CHILDREN*

5.                   Do you own or are you buying a home?                   Yes  No

8.                   Estimated Market Value: \$ \_\_\_\_\_ Amount of Mortgage: \$ \_\_\_\_\_

9.                   6. Do you own an automobile?                   Yes  No

10.                  Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

11.                  Is it financed? Yes  No  If so, Total due: \$ \_\_\_\_\_

12.                  Monthly Payment: \$ \_\_\_\_\_

13.                  7. Do you have a bank account? Yes  No  (Do not include account numbers.)

14.                  Name(s) and address(es) of bank: \_\_\_\_\_

15.                  \_\_\_\_\_

16.                  Present balance(s): \$ \_\_\_\_\_

17.                  Do you own any cash? Yes  No  Amount: \$ \_\_\_\_\_

18.                  Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
 19.                  market value.) Yes  No

20.                  \_\_\_\_\_

21.                  8. What are your monthly expenses?

22.                  Rent: \$ \_\_\_\_\_ Utilities: \_\_\_\_\_

23.                  Food: \$ \_\_\_\_\_ Clothing: \_\_\_\_\_

24.                  Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
26. _____	\$ _____	\$ _____
27. _____	\$ _____	\$ _____
28. _____	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)

3 \_\_\_\_\_

4 \_\_\_\_\_

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes  No

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 I BROUGHT THIS CLAIM IN THIS COURT BUT IT WAS DISMISSED WITH  
10 OUT PREJUDICE FOR NON EXHAUSTION. I'VE NOW EXHAUSTED. (1-07-4434 CRB (PR))

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15

16

5-20-08

17

DATE

18

19

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23

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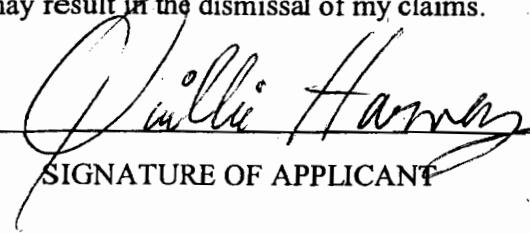
25

26

27

28

SIGNATURE OF APPLICANT



1  
2 Case Number: \_\_\_\_\_  
3  
4  
5  
6  
7  
8

**CERTIFICATE OF FUNDS**

9 **IN**

10 **PRISONER'S ACCOUNT**

11  
12 I certify that attached hereto is a true and correct copy of the prisoner's trust account  
13 statement showing transactions of \_\_\_\_\_ for the last six months  
14 \_\_\_\_\_ [prisoner name] where (s)he is confined.

15 [name of institution] I further certify that the average deposits each month to this prisoner's account for the  
16 most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's  
17 account each month for the most recent 6-month period was \$ \_\_\_\_\_.

18  
19 Dated: \_\_\_\_\_

20 [Authorized officer of the institution]  
21  
22  
23  
24  
25  
26  
27  
28

1  
2 Case Number: \_\_\_\_\_  
3  
4  
5  
6  
7  
8

9 CERTIFICATE OF FUNDS  
10  
11 IN  
12  
13  
14 PRISONER'S ACCOUNT  
15  
16  
17

18 I certify that attached hereto is a true and correct copy of the prisoner's trust account  
19 statement showing transactions of Harvey, Quillie for the last six months  
20 at SALINAS VALLEY STATE PRISON  
21 ACCOUNTING DEPARTMENT  
22 P.O. BOX 1020  
23 SOLEDAD, CA 93960-1020 [prisoner name]  
24 where (s)he is confined.

25 [name of institution]

26 I further certify that the average deposits each month to this prisoner's account for the  
27 most recent 6-month period were \$ 14.17 and the average balance in the prisoner's  
28 account each month for the most recent 6-month period was \$ 25.49.

29 Dated: 5/30/08

L. macias  
30 [Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 05/30/08  
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS  
SALINAS VALLEY STATE PRISON  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

### TRUST ACCOUNT ACTIVITY

TRAN	DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
	11/01/2007		BEGINNING BALANCE					0.00
11/07	FR01	CANTEEN RETUR	701272			51.89-		51.89
11/07	FC03	DRAW-FAC 3	1276 C5			29.52		22.37
11/08	W512	LEGAL POSTAGE	1296 LPOST			4.60		17.77
11/08	W515	COPY CHARGE	1301 COPY			0.36		17.41
11/15	W512	LEGAL POSTAGE	1347 LPOST			4.60		12.81
11/26	W516	LEGAL COPY CH	1422 LCOPY			7.10		5.71
11/27	W512	LEGAL POSTAGE	1432 LPOST			0.41		5.30
11/27	W512	LEGAL POSTAGE	1432 LPOST			5.30		0.00
12/10	FR01	CANTEEN RETUR	701518			29.52-		29.52
12/10	FC03	DRAW-FAC 3	1522 C5			27.40		2.12
12/10	W515	COPY CHARGE	1531 COPY			0.12		2.00
12/11	D300	CASH DEPOSIT	1545 7131		15.00			17.00
12/11	W212	FEDERAL FILIN	1554 NTH			3.00		14.00
12/12	W516	LEGAL COPY CH	1559 LCOPY			1.00		13.00
12/13	W516	LEGAL COPY CH	1569 LCOPY			1.60		11.40
12/13	W512	LEGAL POSTAGE	1575 ENVEL			0.80		10.60
12/18	W512	LEGAL POSTAGE	1607 LPOST			0.41		10.19
12/18	W512	LEGAL POSTAGE	1607 LPOST			4.60		5.59
12/18	W512	LEGAL POSTAGE	1607 LPOST			4.60		0.99
12/18	W512	LEGAL POSTAGE	1607 LPOST			0.41		0.58
12/20	W512	LEGAL POSTAGE	1633 ENVEL			0.58		0.00
		ACTIVITY FOR 2008						
01/08	FR01	CANTEEN RETUR	701750			27.40-		27.40
01/08	FC03	DRAW-FAC 3	1754 C1			25.93		1.47
01/11	D300	CASH DEPOSIT	1805 7230		50.00			51.47
01/11	W212	FEDERAL FILIN	1811 NTH			10.00		41.47
01/11	W515	COPY CHARGE	1808 COPY			0.24		41.23
01/15	D300	CASH DEPOSIT	1834 7241		20.00			61.23
01/15	W212	FEDERAL FILIN	1847 NTH			4.00		57.23
01/16	W512	LEGAL POSTAGE	1859 LPOST			0.41		56.82
01/22	W512	LEGAL POSTAGE	1906 LPOST			0.41		56.41
01/25	W512	LEGAL POSTAGE	1963 LPOST			0.41		56.00
01/25	W512	LEGAL POSTAGE	1963 LPOST			0.41		55.59
01/28	W512	LEGAL POSTAGE	1973 ENVEL			0.80		54.79
02/01	W512	LEGAL POSTAGE	1996 LPOST			0.41		54.38
02/07	W512	LEGAL POSTAGE	2054 LPOST			4.60		49.78
02/07	W512	LEGAL POSTAGE	2054 LPOST			5.30		44.48
02/07	W515	COPY CHARGE	2057 COPY			0.36		44.12
02/08	FC03	DRAW-FAC 3	2088 C1			44.12		0.00
05/02	D310	CHECK DEPOSIT	2797 7660		20.00			20.00

REPORT ID: TS3030 .701

REPORT DATE: 05/30/08  
PAGE NO: 2SALINAS VALLEY STATE PRISON  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

ACCT: H28106

ACCT NAME: HARVEY, QUILLIE

ACCT TYPE: I

## CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
02/22/2008	H110	COPIES HOLD	2189 COPY	0.12
03/19/2008	H110	COPIES HOLD	2437 COPY	0.12
04/15/2008	H110	COPIES HOLD	2659 COPY	0.48
05/02/2008	D310	CHECK DEPOSIT	2797 7660	20.00
05/09/2008	H109	LEGAL POSTAGE HOLD	2860 LPOST	2.67
05/09/2008	H109	LEGAL POSTAGE HOLD	2860 LPOST	2.84
05/13/2008	H110	COPIES HOLD	2897 COPY	0.24
05/13/2008	H109	LEGAL POSTAGE HOLD	2892 ENVEL	0.60
05/13/2008	H118	LEGAL COPIES HOLD	2892 LCOPY	20.70
05/16/2008	H109	LEGAL POSTAGE HOLD	2922 LPOST	4.80
05/16/2008	H118	LEGAL COPIES HOLD	2922 LCOPY	7.50
05/27/2008	H118	LEGAL COPIES HOLD	3014 LCOPY	1.10

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	105.00	85.00	20.00	61.17	0.00



THE WITHIN INSTRUMENT IS A CORRECT  
COPY OF THE TRUST ACCOUNT MAINTAINED  
BY THIS OFFICE.  
ATTEST: *5/30/08*  
CALIFORNIA DEPARTMENT OF CORRECTIONS  
BY *L. Marcus SVP*  
TRUST OFFICE

CURRENT  
AVAILABLE  
BALANCE

41.17-

WILLIE HARVEY H-281066  
JELLINE VALLEY STATE PRISON  
PO BOX 1050 C-1-108  
JEREDAD, CA. 93960

W  
US DISTRICT COURT  
450 GOLDEN GATE AVE  
PO BOX 36060  
SAN FRANCISCO CA 94102-9680

**BUSINESS REPLY MAIL**

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POSTAGE WILL BE PAID BY UNITED STATES COURTS



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

